

**Proposed Amendments to Chapter 101 (Subdivision Ordinance)  
of  
The Code of the County of Fairfax, Virginia**

**November 21, 2005**

**Amend the Subdivision Ordinance, Section 101-2-1 (Procedure.), by revising Paragraph (1)(B) to read as follows:**

(1)(B) Notice required.

(i) Any person who submits a preliminary subdivision plat, ~~or~~ a final subdivision plat ~~only~~, when a preliminary subdivision plat is and a construction plan are not required, or a construction plan when a preliminary subdivision plat is not required for approval under the provisions set forth in this Section shall submit written proof of notification of all owners of property ~~abutting and immediately across the street from~~ wholly or partially within 500 feet of the parcel to be subdivided and at least one (1) homeowners' or civic association within the immediate area as approved by the Department of Public Works and Environmental Services. Such notice shall include notice to owners of properties ~~abutting and immediately across the street~~ wholly or partially within 500 feet which lie in an adjoining county or municipality. This notification must be to a minimum of twenty-five (25) property owners other than the owner of the parcel to be subdivided. If there are fewer than twenty-five (25) different owners of property ~~abutting and immediately across the street from~~ wholly or partially within 500 feet of the subject property, then additional notices shall be sent to other property owners in the immediate vicinity so that notices are sent to different owners of not less than twenty-five (25) properties.

(ii) Notice shall be sent to the last known address of the owner(s) as shown in the current Real Estate Assessment files and shall be sent by certified mail, return receipt requested. Notice to homeowners' or civic associations shall be sent to the address kept on file by the County Office of Public Affairs, or if none is on file, to the registered address kept on file with the State Corporation Commission.

(iii) All written notice required by this paragraph shall include the following information:

- (1) the tax map reference number;
- (2) the street address of the parcel;
- (3) the preliminary subdivision plat, construction plan, or final subdivision plat name;
- (4) and the County identification number;
- (5) the address and telephone number of the County Office where a copy of the preliminary subdivision plat, construction plan, or final subdivision plat may be reviewed or to where questions may be directed;
- (6) a description of the proposed development including the number of units, area in acres, and density;
- (7) the amount of open space provided for any proposed cluster development;

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1           (8) a description of the location of the proposed development including the  
2 name of the nearest road, the side of the road on which the project is located, identification of  
3 the nearest existing road intersection, and the estimated distance from that intersection;

4           (9) a statement that the proposed construction may alter storm drainage from  
5 the site;

6           (10) the name, address and telephone number of a representative of the  
7 applicant; and

8           (11) a reduction of the plan or plat showing the proposed development at a  
9 scale of 1 inch = 500 feet or larger on 8 ½ inch by 11 inch sheet(s).

10  
11           (iv) The notice and shall state that:

12               (1) Changes and corrections to the preliminary subdivision plat, construction  
13 plan, or final subdivision plat may occur prior to approval;

14               (2) any person wishing to comment on the preliminary subdivision plat,  
15 construction plan, or final subdivision plat should submit comments to the County Office  
16 identified in the notice;

17               (3) any persons wishing to be notified of the approval of the preliminary  
18 subdivision plat, construction plan, or final subdivision plat should submit a written request  
19 to that effect to the County Office identified in the notice;

20               (4) ~~the address and telephone number of the County Office where a copy of the~~  
21 ~~preliminary subdivision plat or final subdivision plat may be reviewed;~~

22               (5) the preliminary subdivision plat, construction plan, or final subdivision plat  
23 is subject to approval after the expiration of thirty (30) days after the postmark date of the  
24 notice unless releases are executed by all property owners required to be notified; and

25               (6) if releases are executed by all property owners required to be notified, the  
26 preliminary subdivision plat, construction plan, or final subdivision plat may be approved  
27 sooner than thirty (30) days after the postmark date of the notice. ~~In addition to the above~~  
28 ~~information, written notice for cluster subdivisions in the R-2 District and cluster~~  
29 ~~subdivisions in the R-3 and R-4 Districts which have a minimum district size of three and~~  
30 ~~one half (3.5) acres or greater, shall include a project description containing the preliminary~~  
31 ~~subdivision plat name, number of units, number of acres, density, amount of open space~~  
32 ~~provided and a project location description, to include the name of the nearest road, the side~~  
33 ~~of the road on which the project is located and the estimated distance from the nearest~~  
34 ~~existing road intersection and the name, address and telephone number of a representative of~~  
35 ~~the applicant.~~

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37           (iv) The subdivider shall send a copy of the written notification letter to the Board  
38 Member in whose district the subdivision is located on the same date the abutting property  
39 owners specified in Paragraph (1)(B)(i) above are notified.

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41           (vi) No preliminary subdivision plat, construction plan, or final subdivision plat  
42 shall be approved within thirty (30) days following the postmark date on the white receipts

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1 for the certified mailings unless releases are executed by all property owners required to be  
2 notified. If releases are executed by all property owners required to be notified, the plat or  
3 plan may be approved sooner than thirty (30) days after the postmark date on the white  
4 receipts for the certified mailings. The original executed releases shall be submitted to the  
5 Director on a standard form available from the Director.